

Exhibit A

ENTERED

JUN 23 2006

COMMONWEALTH OF KENTUCKY
FRANKLIN CIRCUIT COURT - DIV. 1
CIVIL ACTION NO. 04-C1-1487

FRANKLIN CIRCUIT COURT
CLERK

COMMONWEALTH OF KENTUCKY
ex rel. GREGORY D. STUMBO, ATTORNEY GENERAL

PLAINTIFF

v.

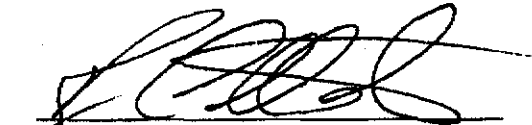
ALPHARMA, INC., *et al.*

DEFENDANTS

ORDER ON
DEFENDANT BAYER CORPORATION'S
MOTION TO DISMISS

The matter came before the Court on June 6, 2006, for oral argument on the defendant Bayer Corporation's individual motion to dismiss the Commonwealth's First Amended Complaint pursuant to CR 12.02 and CR 9.02. Having read the memoranda filed by the parties and having heard the arguments of counsel, and for the reasons stated by the Court at the June 6, 2006 hearing, **IT IS HEREBY ORDERED**, that the individual Motion to Dismiss filed by the defendant Bayer Corporation be and is **GRANTED**, including with regard to *parens patriae* claims asserted by the Commonwealth, which the Court finds as a matter of law are included within the scope of the release in the 2001 Settlement Agreement between Bayer Corporation and the Commonwealth, thereby barring any further claims relating to the six (6) drugs covered by the Settlement Agreement. The Commonwealth shall have thirty (30) days from the entry of this Order to file any Amended Complaint against Bayer. Any such Amended Complaint shall be limited to drugs on the Commonwealth's Target Drug list, and shall assert the specific basis for any claims against Bayer, in light of the 2001 Settlement Agreement and Bayer's obligation under that Agreement to provide

price information on a quarterly basis to the Commonwealth.

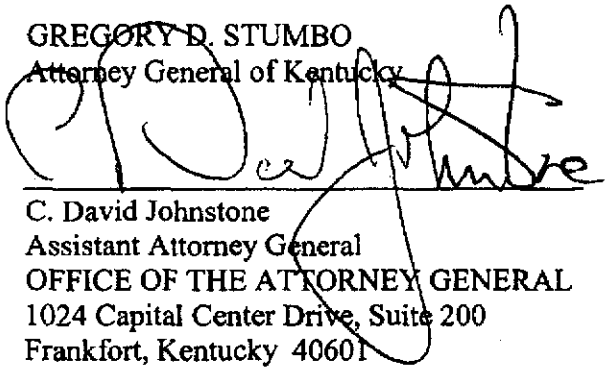

Roger L. Crittenden,
Judge, Franklin Circuit Court

June 23, 2006
Date

TENDERED BY:

GREGORY D. STUMBO
Attorney General of Kentucky

By:


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Distribution to: All Counsel of Record